

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

MOHAMMAD ATIF AKHTAR,
Plaintiff,

v.

Civil No. 3:24cv741 (DJN)

MERRICK BRIAN GARLAND,
Attorney General of the United States, et al.,
Defendants.

ORDER
(Granting Leave to Proceed *In Forma Pauperis*
and Ordering Particularized Complaint)

This matter comes before the Court on *pro se* Plaintiff Mohammad Atif Akhtar's ("Plaintiff") Application to Proceed in District Court without Prepaying Fees or Costs ("Motion for Leave to Proceed *in forma pauperis*") (ECF No. 1). The Court finds that Plaintiff qualifies to proceed *in forma pauperis* and, therefore, the Court hereby provisionally GRANTS the Motion for Leave to Proceed *in forma pauperis*.

However, the Court has also reviewed Plaintiff's proposed Complaint (ECF No. 1-2) and finds that it fails to satisfy Federal Rule of Civil Procedure 8, which requires a short and plain statement of the grounds for this Court's jurisdiction and a short and plain statement of the claims showing that Plaintiff stands entitled to relief. Under a liberal construction of Plaintiff's proposed Complaint, *Laber v. Harvey*, 438 F.3d 404, 413 n.3 (4th Cir. 2006), Plaintiff appears to assert a claim pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*, but he does not set forth how each named Defendant allegedly violated federal law. (ECF No. 1-4.)

Accordingly, the Court hereby ORDERS that, no later than November 15, 2024, Plaintiff shall file a particularized amended complaint that outlines in simple and straightforward terms why Plaintiff stands entitled to relief. Plaintiff must also state why the Court has jurisdiction over this case, pursuant to Federal Rules of Civil Procedure 8(a)(1) and (2). The particularized amended complaint must be legible and preferably created using a word processor, such as Microsoft Word. The particularized amended complaint SHALL comply with the following directions:

1. The caption of the particularized amended complaint must identify it as the “Amended Complaint for Civil Action No. 3:24cv741.”
2. The first paragraph of the particularized amended complaint must contain a list of the defendant(s). Thereafter, in the body of the particularized amended complaint, Plaintiff must set forth legibly, in separately numbered paragraphs, a short statement of the facts giving rise to the claims for relief. Thereafter, in separately headed sections as “Count One,” “Count Two,” etc., Plaintiff must clearly identify each federal or state law allegedly violated. Under each section, Plaintiff must list each defendant purportedly liable under that legal theory and explain why Plaintiff believes that each defendant is liable. Such explanation should reference specific numbered factual paragraphs in the body of the particularized amended complaint to support that assertion.
3. Plaintiff should also include the relief that he seeks. If Plaintiff seeks money damages, Plaintiff should include the dollar amount of damages. If Plaintiff seeks injunctive relief, Plaintiff should state what he would like the injunction to do.
4. The particularized amended complaint must stand or fall on its own accord. Plaintiff may not reference statements in the prior filings.

5. The particularized amended complaint must omit any unnecessary incorporation of factual allegations for particular claims and any claim against any defendant that is not well-grounded in the law and fact. *See Sewraz v. Guice*, 2008 WL 3926443, at *2 (E.D. Va. Aug. 26, 2008).


Once filed, the particularized amended complaint will become the operative complaint in this case. Plaintiff SHALL also resubmit the Ghostwriting Form in accordance with Local Rule 83.1(N), indicating that he did not receive assistance in preparing the particularized amended complaint.

The failure to strictly comply with the Court's directive and with applicable rules will result in DISMISSAL of this action for failure to prosecute under Federal Rule of Civil Procedure 41(b).

The Court hereby DIRECTS the Clerk's Office to mail a copy of this Court's standard Civil Complaint Form and Ghostwriting Form to Plaintiff at his address of record.

Let the Clerk file a copy of this Order electronically and send a copy to Plaintiff at his address of record.

It is so ORDERED.


_____/s/_____
David J. Novak
United States District Judge

Richmond, Virginia
Date: October 25, 2024